

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 21-413
)	
WILLIAM LACELL DARK, JR.,)	Judge Cathy Bissoon
)	
Defendant.)	

ORDER

For essentially the same reasons stated in the government’s opposition (Doc. 87), Defendant’s Motion to Dismiss (Doc. 85) based on *Bruen* and *Range* will be denied. As this Court observed in U.S. v. Deamonte Law and U.S. v. Torrell Jones, the ruling in *Range* was a narrow one. Range v. Att’t Gen., 69 F.4th 96, 106 (3d Cir. 2023). In this case, Defendant’s “as applied” challenge fails because he was an active state probationer. U.S. v. Terry, 2023 WL 6049551 (W.D. Pa. Sept. 14, 2023) (Ranjan, D.J., presiding); *see also* Law, 2023 WL 5176297 (W.D. Pa. Aug. 11, 2023). As to this issue, specifically, the undersigned cannot improve on the reasoning in Terry, and Judge Ranjan’s analyses are incorporated by reference. As for Defendant’s facial challenge, the Court incorporates by reference its decision in Jones. *Id.*, 2023 WL 6541040 (W.D. Pa. Oct. 6, 2023).

For these reasons, and for the others stated in the government’s opposition, Defendant’s Motion to Dismiss (**Doc. 85**) is **DENIED**. Defendant’s only pretrial Motion having been resolved, the Court will enter an order setting trial and related deadlines.

IT IS SO ORDERED.

October 24, 2023

s/Cathy Bissoon

Cathy Bissoon

United States District Judge

cc (via ECF email notification):

All Counsel of Record